

must be certified by the physician to be medically fit for program participation;

- (d) The offender must not previously have served an active sentence in excess of 120 days.

**Sec. 4.** This act shall become effective January 1, 1991.

In the General Assembly read three times and ratified this the 26th day of July, 1990.

S.B. 1618

## CHAPTER 1011

### AN ACT TO MAKE RELEASING OF MOTOR VEHICLES UNLAWFUL.

*The General Assembly of North Carolina enacts:*

**Section 1.** Chapter 20 of the General Statutes is amended by adding the following new section:

*" § 20-106.2. Sublease and loan assumption arranging regulated.*

(a) As used in this section:

- (1) 'Buyer' means a purchaser of a motor vehicle under the terms of a retail installment contract. 'Buyer' shall include any co-buyer on the retail installment contract.
- (2) 'Lease' means an agreement between a lessor and a lessee whereby the lessee obtains the possession and use of a motor vehicle for the period of time, for the purposes, and for the consideration set forth in the agreement whether or not the agreement includes an option to purchase the motor vehicle; provided, however, 'lease' shall not include a residential rental agreement of a manufactured home which is subject to Chapter 42 of the General Statutes.
- (3) 'Lessor' means any person who in the regular course of business or as a part of regular business activity leases motor vehicles under motor vehicle lease agreements, purchases motor vehicle lease agreements, or any sales finance company that purchases motor vehicle lease agreements.
- (4) 'Lessee' means a person who obtains possession and use of a motor vehicle through a motor vehicle lease agreement. 'Lessee' shall include any co-lessee listed on the motor vehicle lease agreement.
- (5) 'Person' means an individual, partnership, corporation, association or any other group however organized.
- (6) 'Security interest' means an interest in personal property that secures performance of an obligation.